

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA                    )  
  )  
                  v.                                ) CR. NO. 2:07cr136-MHT  
  )  
KEITH ANDERSON                                )

MOTION TO RESCIND PRELIMINARY ORDER OF FORFEITURE

Comes now the United States of America by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and Tommie Brown Hardwick, Assistant United States Attorney, and moves this Court to rescind the Preliminary Order of Forfeiture stating as follows:

1. This Honorable Court entered a Preliminary Order of Forfeiture on October 22, 2007, forfeiting defendant's interest in the following property:

One Gateway Select 1200 computer, model number  
ATXSTFNOS, bearing serial number 0023899099;

One KDS ThinNote Computer, bearing serial  
number 1059400095, with charging cord; and,

One Dell desktop computer, bearing serial  
number G88H501.

2. The property is not in federal custody.

3. In order to avoid further judicial expense, the United States submits that the Preliminary Order of Forfeiture should be rescinded and declared void *ab initio*.

4. A proposed Order is attached.

Respectfully submitted this 5<sup>th</sup> day of February, 2008.

LEURA G. CANARY  
UNITED STATES ATTORNEY

/s/Tommie Brown Hardwick  
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CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/Tommie Brown Hardwick  
TOMMIE BROWN HARDWICK  
Assistant United States Attorney

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O R D E R

Upon consideration of the Motion to Rescind Preliminary Order of Forfeiture heretofore filed in the above-styled cause, and for good cause shown, the Court is of the opinion that the motion should be and the same is hereby GRANTED. It is, therefore, **CONSIDERED, ORDERED, ADJUDGED AND DECREED** by the Court that said Motion be and the same is hereby granted and the Preliminary Order of Forfeiture entered October 22, 2007, is hereby rescinded and declared void *ab initio*.

DONE this \_\_\_\_ day of February, 2008.

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UNITED STATES DISTRICT JUDGE